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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/708,538

03/10/2004

Le-Jen Wang

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2537

27765

7590

02/11/2005

NORTH AMERICA INTERNATIONAL PATENT OFFICE (NAIPC)

P.O. BOX 506

MERRIFIELD, VA 22116

EXAMINER

LUEBKE, RENEE S

ART UNIT

PAPER NUMBER

2833

DATE MAILED: 02/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/708,538

Applicant(s)

WANG & TU

Examiner

Renee S. Luebke

Art Unit

2833

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

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1. The disclosure is objected to because of the following informalities:

a. Contrary to paragraphs 11 and 15 (line 1), fig. 2 is not a schematic diagram."

b. On line 7 of paragraph 15, should "34" be changed to -12-? It is noted that there is no "34" in the figures.

c. In the penultimate line of paragraph 15, it appears that "on" should be deleted.

d. In line 3 of paragraph 16, it appears that -a- should be inserted before "diagram."

e. Contrary to paragraph 16 member 16 appears to be a post, not "holes."

f. The last sentence of paragraph 16b is grammatically incorrect, and may be missing text.

Appropriate correction is required.

2. Claim 3 is objected to because of the following informalities:

- Claim 3 lacks antecedent basis for "the shell."

- Contrary to claim 3, the dust preventive member does not enclose the shell. The dust-preventive member 42 of the present invention only covers two sides of the shell.

Appropriate correction is required.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary

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skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Harshberger, et al. This device comprises a housing 130; a circuit board 132; and a connection module 20 comprising an adapter 36 and a shell 30, 32, 34, 38. The adapter comprises a first set of male conducting terminals 92, etc. and a second set of male conducting terminals 88, etc. The data storage unit 22 comprises a second set of female terminals. Although member 22 is not stated to be a card, applicant has not placed any size limits on the card and therefore this member is seen to be a card, as claimed. This device comprises all of the claimed limitations; it is therefore seen to be "a photo printer" as claimed.

In regard to claim 3, member 110 is seen to be a dust-preventive member as it covers the shell.

5. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Harshberger, et al. External flash cards are now a common means of conveniently formatting replaceable data. Certainly the use of smaller media is well known since the invention described by Harshberger. Therefore, the use of an external flash card in place of the data storage unit of Harshberger is seen to have been an obvious matter of design choice.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kurihashi, et al., Yang and Yen are examples of similar adapters for small memory cards.

7. Any response to this action may be mailed to:  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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or faxed to:  
(703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

8. Any inquiry concerning this communication from the examiner should be directed to Mrs. Renee Luebke whose telephone number is (571) 272-2009.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mrs. Paula Bradley, can be reached at (571) 272-2800, extension 33.



Renee S. Luebke  
Primary Patent Examiner  
February 7, 2005